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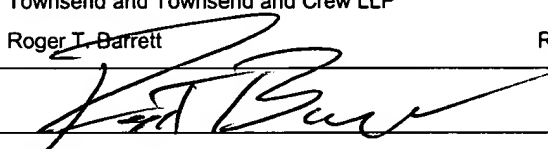
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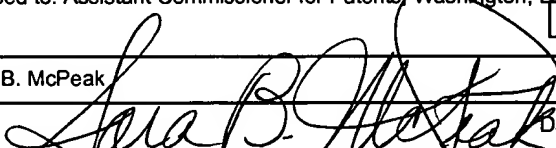
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|--|---|------------------------|----------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | | Application Number | 09/600,348 |
| | | Filing Date | July 14, 2000 |
| | | First Named Inventor | Vardi, Gil M. et al. |
| | | Group Art Unit | Unassigned |
| | | Examiner Name | Unassigned |
| Total Number of Pages in This Submission | 1 | Attorney Docket Number | 19601-000120 |

| ENCLOSURES (check all that apply) | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Communication in Response to Decision on Petition Under 37 CFR 1.47(a) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Return Postcard 2. Executed Declaration |
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| No fee transmittal is submitted herewith as this Communication is being timely filed and no fee is believed owing. | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|---|
| Firm and Individual name | Townsend and Townsend and Crew LLP Roger T. Barrett Reg. No. 41,599 |
| Signature |  |
| Date | December 4, 2001 |

| CERTIFICATE OF MAILING | |
|--|--|
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: | |
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| Typed or printed name | Sara B. McPeak |
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on December 4, 2001

TOWNSEND and TOWNSEND and CREW LLP

By

Sara B. McPeak
Sara B. McPeak

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gil M. Vardi et al.

Serial No.: 09/600,348

Filed: July 14, 2000

For: **EXTENDIBLE STENT APPARATUS**

Examiner: Unassigned

Art Unit: Unassigned

COMMUNICATION IN RESPONSE TO
DECISION ON PETITION UNDER 37
CFR 1.47(a)

Box PCT
Commissioner for Patents
U. S. Patent and Trademark Office
Washington, D.C. 20231
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Sir:

On October 4, 2001, a Decision on Applicants' Petition Under 37 CFR 1.47(a) was issued dismissing, without prejudice, Applicants' Petition. A two-month period of time was granted to respond to the Petition Decision.

In response, Applicants submit herewith a signed Declaration executed by Mr. Eric Elam, the previously missing inventor. In the period of time subsequent to Applicants' Petition Under

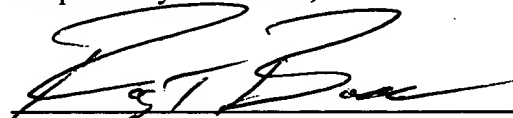
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37 CFR 1.47(a) and the present, Applicants reacquired contact with the missing inventor, Mr. Eric Elam. Thus, Applicants respectfully believe the submission of the enclosed Declaration is an appropriate response to the Petition Decision, and further request consideration of the present application.

If prosecution may be advanced by a telephone conversation with the undersigned attorney, he may be reached at (303) 571-4000.

It is believed no fees are due for this submission, however, the Commissioner is authorized to charge any fees owing or credit any amount to Deposit Account Number 20-1430.

Respectfully submitted,



Roger T. Barrett
Reg. No. 41,599

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, CA 94111
Phone (303) 571-4000
Fax (303) 571-4321
RTB/sm

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